

9/158-161-4-D3

1F12 1625

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of : Breitfelder, S. et al..      Art Unit : 1625  
Docket No. : 9/158-161-4-D3      Examiner : Robinson, B.M.  
Serial No. : 10/624,289  
Filed : July 21, 2003  
For : Compounds Useful as Anti-inflammatory Agents

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

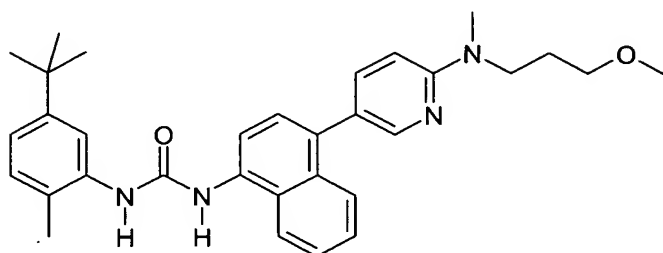
**RESPONSE TO ELECTION/RESTRICTION REQUIREMENT**

Sir:

This paper is in response to the election/restriction requirement dated 5/03/2004.

**REMARKS**

In response to the election/restriction requirement Applicants hereby elect for searching purposes without traverse the compound:



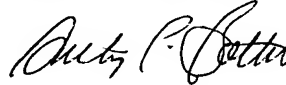
Which is example 18, page 166 and is also found in claim 16, the 1st compound listed.

Regarding election of a Group, applicants hereby elect Group I without traverse. In a discussion with the Examiner on May 19, 2004, it was agreed upon to modify Group I as follows:

**X** is 5 or 6-membered rings containing 1 or 2 nitrogens; **R3** is all acyclic moieties listed. All other definitions, as identified in Group I of the present restriction requirement, is to remain the same.

Applicants respectfully request rejoinder of the method and process claims of equal scope upon a finding of allowable compound claims. Applicants also request that the Examiner identify the scope of the search in the next paper in order for applicants to identify non-elected subject matter. Applicants reserve the right to file in one or more divisional applications any non-elected subject matter not allowed in the present case under 35 USC 121.


Respectfully submitted,



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By: Anthony P. Bottino  
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